

FROM LATHAM & WATKINS LLP Fax Machine #2 (TUE) 4.29'08 9:39/ST. 9:38/NO. 4861909549 P 2

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JOANNE FOUNTAINE,

15 Defendant.

Case No. CR-07-00006-SBA

**STIPULATION AND ~~(PROPOSED)~~ ORDER
TO CONTINUE CONTROL HEARING**

(Hon. Wayne D. Brazil)

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STIPULATION

WHEREAS, based on her doctor's schedule, the earliest date on which Defendant Joanne Fountaine could schedule her impending surgery is May 7, 2008;

WHEREAS, Ms. Fountaine will require a few weeks to fully recover from this surgery;

WHEREAS, the psychologist who Ms. Fountaine has retained to conduct her psychological evaluation has strongly advised against conducting such evaluation until after Ms. Fountaine has recovered from her surgery because of the likelihood of an inaccurate result;


WHEREAS, the parties respectfully request that, due to Ms. Fountaine's surgery and expected recovery period, and the associated delay in obtaining her psychological evaluation, the Court continue the Control Hearing currently set for May 7, 2008 to June 2, 2008 at 10:00 a.m.

THEREFORE, subject to Court approval, the parties STIPULATE that the Control Hearing in the above-captioned matter is reset for June 2, 2008 at 10:00 a.m.

Dated: April 28, 2008

LATHAM & WATKINS

By


Holly D. Tate
Attorneys for Defendant
JOANNE FOUNTAINE

Dated: April 20, 2008

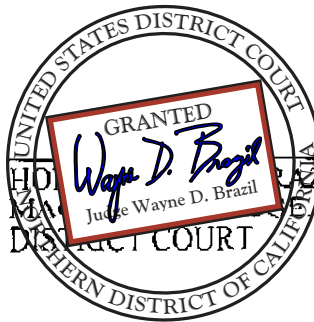
JOSEPH P. RUSSONIELLO
United States Attorney

By


Kesslie Stewart
Assistant United States Attorney

IT IS SO ORDERED.

Dated: May 6, 2008



UNITED STATES